

AVIDES MOREIRA ET AL. -- 09/801,090
Amendment filed August 26 2004
Page 5

REMARKS

Reconsideration and allowance is respectfully requested.

Upon entry of the above amendments, the rejected claims 3, 4, 7 10-12, and 15-19¹ are cancelled and allowed or allowable claims 1, 2, 5, 8, 13 and 14 remain pending, appropriately amendment as discussed below. Furthermore, new claims 20-22 have been added. Claim 20 corresponds to the subject matter of claim 13, but dependent on claim 5. Claims 21 and 22 are based on previous claim 6, now cancelled, and depend, respectively, from claims 1 and 5. Accordingly, claims 1, 2, 5, 8, 13 and 20-22 are currently pending.

In this regard, Applicants acknowledge, with appreciation, that claims 1 and 2 are allowed and that claims 5, 8, 13 and 14, are allowable (subject to overcoming objections for depending from rejected base claims).

Specifically, claim 5 is amended to be in independent form by including the subject matter of cancelled claim 3. Accordingly, claim 5 is in condition for allowance.

Claim 8 is amended to depend from claim 5 and specify that the thermoplastic elastomeric material is a copolyether ester, as in cancelled claim 4/3, from which claim 8 was previously dependent. Accordingly, claim 8 is in condition for allowance.

Finally, claim 2 is amended simply to conform the language ("thermoplastic elastomer") to the language in claim 1 ("thermoplastic elastomeric material"). Claim 2 remains in condition for allowance.

With regard to the cancelled "product" claims, including the subject matter of claim 14, indicated as allowable, Applicants reserve the right to separately prosecute the cancelled subject matter in this or in a continuing application.

In view of the cancellation of claims 3, 4, 6, 7, 10-12 and 15-19 and the additional amendments discussed above, it is believed that all outstanding issues and rejections have been resolved and that the subject application is now in condition for allowance.

Accordingly, allowance of the subject application and passage to issue at the earliest possible date is earnestly solicited.

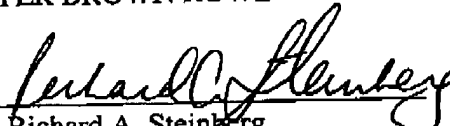
¹ The identification of claims under rejection at item 6 of the Office Action Summary does not correspond with the Detailed Action. Furthermore, it is noted that, although cancelled, claim 6 was not included in the Detailed Action portion of the Office Action.

AVIDES MOREIRA ET AL. -- 09/801,090
Amendment filed August 26 2004
Page 6

While it is believed that all issues have been resolved and that the application is in condition for allowance, should any issues remain or occur, the Examiner is kindly requested to contact Applicants' undersigned counsel to resolve any such issues.

Please charge any fees associated with the submission of this paper to Deposit Account Number 503-121. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
MAYER BROWN ROWE & MAW

By: 
Richard A. Steinberg
Registration No. 26,588
Direct No. (202) 263-3325

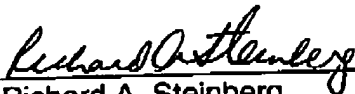
Mayer, Brown, Rowe & Maw LLP
Intellectual Property Group
1909 K Street
Washington, D.C. 20006-1101
Customer No.: 000043569

AVIDES MOREIRA ET AL. -- 09/801,090
Amendment filed August 26 2004
Page 2

FEE PAYMENT

Authorization is given herein to charge any deficiencies in the fees, or to credit any overpayments, to Deposit Account No. 503-121 as necessary to keep this application pending.

Intellectual Property Department
Mayer Brown Rowe & Maw LLP
1909 K Street, N.W.
Washington, D.C. 20006-1101
(202) 263-3000 Telephone
(202) 263-3300 Facsimile


Richard A. Steinberg
Registration No. 26,588

Date: August 26, 2004